

REMARKS

Claims 10-51 are pending in the present application. Claims 10 and 30 are the only independent claims.

In the Office Action, claims 10-11, 12-21, and 25-51 are rejected under 35 U.S.C. 103(a) as obvious over US 6,654,085 to Koike et al. ("Koike") in view of US 3,763,356 to Berler ("Berler"), and claims 22-24 and 41-43 are rejected under 35 U.S.C. 103(a) as obvious over Koike in view of Berler, further in view of US 4,812,034 to Mochizuki ("Mochizuki").

It is alleged in the Office Action that Berler discloses printing fluorescent ink on an optical readable member for identification purposes, so that it would have been obvious to use the process of Berler "for identifying purposes" (Office Action at page 4).

The rejections are respectfully traversed. First, Berler concerns the field of mechanically identifiable documents, not optical elements like Koike. Thus, the person of ordinary skill in the optical art would have had no motivation to combine Berler with Koike or even to refer to Berler.

Second, the identifiable documents of Berler are intended to carry information, and the invention of Berler is to provide a fluorescent ink with a light filter on one side, so that the document can be read only if inserted in the correct orientation in the reader. If the document is inserted from the wrong side, the filter attenuates the decoding light so that no light is emitted by the fluorescent ink (see Berler at col. 1, lines 57-62). Thus, Berler does not provide any suggestion or motivation to apply its fluorescent ink to optical elements that are not "documents," i.e., that are not intended to carry information (such as the optical elements of Koike, which are used for its optical properties and not as an information carrier). More specifically, Berler does not provide any suggestion or motivation to apply its fluorescent ink to a releasable member on the document,

let alone an optical element. Conversely, Koike does not require or suggest adding information on a releasable protective film, and is completely silent as to the issue of identifiability of an optical element. As a result, even if, arguendo, a person of ordinary skill in the art had referred to Berler in an attempt to modify Koike, that person would have found no suggestion or motivation to combine the references, and no guidance as to how such combination might be effected.

In particular, the system of Berler requires a light filter, i.e., the technique of Berler is not adapted to optical elements for which optical properties are set and a light filter would be inappropriate. Thus, a person of the art would be taught away from applying or transferring the teachings of Berler to optical elements.

Also, Berler is completely silent as to a transmittance of an ink portion of 90% or more of the portion having no ink. Thus, even if, arguendo, a person of ordinary skill in the art had attempted to combine Berler and Koike, this would not have resulted in the features of the presently claimed invention.

In contrast, in the presently claimed invention, an easy-releasing protective member comprising a portion comprising an ink information for identification and another portion without the ink information is provided on at least one side of front side and back side on the optical material, and the optical transmittance of the portion comprising the ink information is no less than 90% and up to 100% of an optical transmittance of said portion without the ink information, as recited in present claims 10 and 30.

Important advantages can be obtained by providing the ink information for identification on the protective member with easy peelability, including in particular (i) the possibility of a high-precision inspection for appearance selection while the protective member with identification

ink is kept on the optical member, and (ii) the possibility of preventing pollution and damage to an optical material while the protective member with identification ink is kept on, but also easy peelability from the optical member for use of the optical material.

This feature of the presently claimed invention and its advantages are not taught or suggest in Berler or any of the other cited references, and therefore, the present claims are not obvious over the cited combinations of references.

In addition, with respect to claims 11 and 30, Berler is completely silent as to an optical transmittance of the portion without the identification information in the protective member is no less than 80%, as recited in claims 11 and 30, and the other cited references fail to remedy this deficiency of Berler. Therefore, for this reason alone, present claims 11 and 30, and the claims dependent thereon, are not obvious over the cited combinations of references.

With respect to the other dependent claims, the combinations of features are not taught or suggested in any of the cited references. Therefore, for these respective reasons alone, these claims are not obvious over the cited combinations of references.

In view of the above, it is submitted that the rejections should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Serial Number: 10/056,973

Group Art Unit: 1774

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

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